

**STATE OF MARYLAND
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**



**Invitation for Bids (IFB) No. DHCD-17-01 – Reissue
LEAD PAINT RISK ASSESSMENT AND INSPECTION SERVICES**

IFB Issue Date: July 20, 2016

Procurement Officer: Amanda Pinder
7800 Harkins Road, Room 262, Lanham, Maryland 20706
Phone: (301) 429-7780
E-mail: amanda.pinder@maryland.gov

Contract Monitor: David Klingler
7800 Harkins Road, Lanham, Maryland 20706
Phone: (301) 429-7799
E-mail: david.klingler@maryland.gov

Bids are to be sent to: Department of Housing and Community Development
7800 Harkins Road, Room 262, Lanham, Maryland 20706
Attention: Amanda Pinder

Mark in the lower left or right-hand corner: “IFB No. DHCD-17-01; MUST BE OPENED BY ADDRESSEE ONLY.”

Bids must be sealed and clearly labeled exactly as indicated to ensure that they are delivered intact and unopened.

Bid Due (Closing) Date and Time: Wednesday, August 10, 2016, at 2:00 P.M., Local Time

NOTICE

Prospective Bidders who have received this document from a source other than the Issuing Office should immediately contact the Issuing Office and provide their name and mailing address so that any amendments to the IFB and other communications may be sent to them.

**Minority Business Enterprises and Certified Small Businesses
are encouraged to respond to this solicitation.**

General Information

Summary

The Maryland Department of Housing and Community Development (DHCD), a principal department of the State of Maryland (State), is seeking a qualified Contractor to provide lead paint risk assessment and inspection services.

Contract Type

The Contract resulting from this solicitation shall be an indefinite quantity contract with firm fixed unit prices as defined in COMAR 21.06.03.06.A(2) (indefinite quantity) and 21.06.03.02.A(1) and (2) (fixed price and firm fixed price).

Contract Duration

The duration of the Contract shall be for two years, commencing upon execution of the contract. There are no renewal options.

Procurement Officer

The Procurement Officer is the primary point of contact in the State for purposes of this IFB prior to the award of any Contract. The name and contact information of the Procurement Officer are indicated in the title page.

The Department may change the Procurement Officer at any time.

Contract Monitor

The Contract Monitor is the State representative for this Contract who is primarily responsible for Contract administration functions after Contract award. The name and contact information of the Contract Monitor are indicated on the title page.

The Department may change the Contract Monitor at any time.

Questions

Inquiries regarding this IFB should be directed to the Procurement Officer listed on the title page.

Procurement Method

This Contract will be awarded in accordance with COMAR 21.05.07, which governs the procurement of items expected to cost \$25,000 or less.

Bid Closing Date and Time

All bids must be received at the address listed on the title page and no later than the Bid Due Date and Time indicated on the title page. **No late bids will be accepted.**

Duration of Bid

Bids submitted in response to this IFB are irrevocable for ninety (90) days following the closing date for bids. The Procurement Officer may extend this period, with the Bidder's written consent.

Multiple or Alternate Bids

Multiple and/or alternate Bids will not be accepted.

Award Basis

The Contract shall be awarded to the responsible Bidder submitting a responsive Bid with the most favorable bid price (per COMAR 21.05.07.06.D(2)). One (1) award shall be made.

Substitution of Personnel

Any substitution of personnel after the Contract has begun must be approved in writing by the Contract Monitor prior to the substitution. If the Contractor substitutes personnel without the prior written approval of the Contract Monitor, the Contract may be terminated.

Minority Business Enterprises (MBEs)

Minority Business Enterprises (MBEs) are encouraged to respond to this solicitation. MBE vendors are encouraged to obtain MBE certification from the Maryland Department of Transportation, Office of Minority Business Enterprise. Direct all certification-related questions to:

Office of Minority Business Enterprise
Maryland Department of Transportation
P.O. Box 8755
BWI Airport, Maryland 21240-0755
(410) 859-7328
<http://www.mdot.maryland.gov>

Small Businesses

Although this is not a Small Business Reserve procurement, small businesses are encouraged to respond to this solicitation and to register with the Maryland Department of General Services for the Maryland Small Business Reserve Program through a self-certification process at <https://www.smallbusinessreserve.maryland.gov/registration/>.

A "Small Business" is a business, other than a broker, that meets the following criteria:

- The business is independently owned and operated;
- The business is not a subsidiary of another business;
- The business is not dominant in its field of operation;
- The wholesale operations of the business did not employ more than 50 persons, and the gross sales of the business did not exceed an average of \$4,000,000 in its most recently completed 3 fiscal years;

- The retail operations of the business did not employ more than 25 persons, and the gross sales of the business did not exceed an average of \$3,000,000 in its most recently completed 3 fiscal years;
- The manufacturing operations of the business did not employ more than 100 persons, and the gross sales of the business did not exceed an average of \$2,000,000 in its most recently completed 3 fiscal years;
- The service operations of the business did not employ more than 100 persons, and the gross sales of the business did not exceed an average of \$10,000,000 in its most recently completed 3 fiscal years;
- The construction operations of the business did not employ more than 50 persons, and the gross sales of the business did not exceed an average of \$7,000,000 in its most recently completed 3 fiscal years; and
- The architectural and engineering operations of the business did not employ more than 100 persons, and the gross sales of the business did not exceed an average of \$4,500,000 in its most recently completed 3 fiscal years.

If a business has not existed for three years, the gross sales average is computed for the period of the business's existence. For newly formed businesses the determination will be based upon employment levels and projected gross sales.

Verification of Registration and Tax Payment

Before a business entity can do business in the State it must be registered with the State Department of Assessments and Taxation (SDAT). SDAT is located at State Office Building, Room 803, 301 West Preston Street, Baltimore, Maryland 21201. The SDAT website is <http://sdacert3.resiusa.org/ucc-charter/>.

It is strongly recommended that any potential Bidder complete registration prior to the due date for receipt of Bids. A Bidder's failure to complete registration with SDAT may disqualify an otherwise successful Bidder from final consideration and recommendation for Contract award.

Mandatory Contractual Terms

By submitting a Bid in response to this IFB, a Bidder, if selected for award, shall be deemed to have accepted all terms and conditions of this IFB *and* the State's mandatory terms and conditions under COMAR 21.07.01: http://www.dsd.state.md.us/COMAR/SubtitleSearch.aspx?search=21.07.01.*. Any exceptions to this IFB must be raised prior to Bid submission. Changes to the solicitation, including the Bid Form, made by the Bidder may result in Bid rejection.

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MINIMUM QUALIFICATIONS

The following qualifications shall be met to be considered for contract award:

Licensure. The Offeror shall be licensed and accredited by the MDE as a Lead Paint Risk Assessor and Lead Paint Inspector Technician. Proof of required license shall be provided in writing.

SCOPE OF WORK

- A. **Paint Inspections.** Paint inspections shall be performed by Maryland Department of Environment (MDE) accredited Lead Paint Risk Assessors or Lead Paint Inspector Technicians. The paint inspections shall meet or exceed the recommended protocol of the State of Maryland and the HUD guidelines for the Evaluation and Control of Lead-Based Paint in Housing (1997 - Chapter 7), the requirements of 24 CFR 35.1320 - Paint Inspections and Risk Assessments, and work practice standards under 40 CFR 745.227.
1. Testing of each property shall consist of a full lead paint inspection of interior and exterior areas using a single family testing protocol. DHCD shall require testing of all painted and varnished surfaces on the property up to 10 feet in height.
 2. Testing shall be performed using an XRF analyzer and operated in accordance with the manufacturer's performance characteristic sheet (PCS) which details proper use of the equipment. Paint chip analysis will be performed only in the case that the XRF testing would produce inconclusive results, as required by the testing protocol.
- B. **Risk Assessments.** Risk Assessments shall be conducted by MDE accredited Lead Paint Risk Assessors or Lead Paint Inspector Technicians. Lead abatement services providers shall comply with COMAR 26.16.05 – Procedures for Performing Lead Abatement Services. The protocols shall meet or exceed the recommended requirements of the HUD Guidelines for the Evaluation and Control of Lead-Based Paint in Housing (1995, Chapter 5), and the requirements of 24 CFR 35.1320, as well as the work practice standards of 40 CFR 745.227.

The level of assessment will adequately evaluate the risk of exposure to environmental lead and may consist of a screen risk assessment or full risk assessment depending on the particular circumstances of the property rehabilitation case.

1. The screen risk assessment is an abbreviated form of evaluation and will only be applicable where a property is in good condition and there is a low probability of finding lead-based paint hazards. Upon completion of a paint inspection to a property, the selected consultant and DHCD shall agree whether a screen risk assessment is suitable to evaluate the lead hazard, if any. The screen risk assessment shall consist of:
 - a. Visual inspection of the building for defects that affect paint systems, including completion of HUD Form 5.1, Building Condition Form;
 - b. Visual inspection of paint systems and rating the systems using Table 5.3 - Categories of Paint Film Quality of the HUD Guidelines or by such methods or standards to be implemented under 40 CFR 745.65-Lead-based paint hazard;
 - c. Collection and analysis of two composite dust samples (one from windows and one from floors) in accordance with Scope of Services, Section D, Dust Testing for Lead Contamination; and
 - d. Collection and analysis of two composite soil samples in accordance with Scope of Services, Section E, Soil Sampling for Lead Contamination.

2. The full risk assessment shall consist of the following components:

- a. If occupied, collection and documentation of background information on the property such as history and use patterns;
- b. Visual inspection of the building for defects that affect paint systems, including completion of HUD Form 5.1: Building Condition Form;
- c. Visual inspection of paint systems and rating of the systems using Table 5.3: Categories of Paint Film Quality of the HUD Guidelines or by such methods or standards to be implemented under 40 CFR 745.65 - Lead-based paint hazards;
- d. Additional testing of intact paint systems, as may be required to quantify risk potential of lead exposure at a property;
- e. Collection and analysis of a total of four single dust samples from areas that represent the greatest risk of exposure in accordance with Scope of Services, Section D, Dust Testing for Lead Contamination;
- f. Collection and analysis of soil sampling for lead-based paint hazards in accordance with Scope of Services, Section E, Soil Sampling for Lead Contamination;
- g. If required, testing of personal items where there is a concern about possible lead exposure in accordance with appropriate regulatory requirements or industry standards; and
- h. Development of abatement and management plans as may be required to resolve identified lead-based paint hazards.

C. Clearance Inspections. Clearance inspections shall be performed to confirm that work required to eliminate lead-based paint hazards has been completed in accordance with applicable Federal and State standards and that the work has not increased lead hazards at the property. Each clearance examination shall be performed by personnel properly trained and accredited by MDE as a Lead Paint Risk Assessor or Lead Paint Inspector Technician. Lead abatement services providers shall comply with COMAR 26.16.05 – Procedures for Performing Lead Abatement Services. Each examination shall meet or exceed the recommended protocol of the HUD Guidelines for the Evaluation and Control of Lead-Based Paint in Housing (1995-Chapter 15), and the requirements of 24 CFR 35.1340 - Clearance, and the work practice standards contained at 40 CFR 745.227. Each clearance examination will consist of the following.

1. A visual inspection of the property shall be conducted to determine whether work on targeted components was completed and to ensure that no leaded dust or debris are present. Specific areas that may need to be confirmed include paint removal, paint film stabilization, component removal and replacement, enclosures, soil treatments, encapsulants and interim controls.
2. Dust testing shall be performed to determine the extent, if any, of lead contaminated dust following the work. Dust Testing will be conducted in accordance with the requirements of Scope of Services, Section D, Dust Testing for Lead Contamination. Sampling is to be performed by single wipes, since composite wipe sampling methods, although referenced in Federal Guidelines, are not recognized in the State of Maryland.

3. Should the scope of work involve disturbing exterior paint or abating soil at a property, soil sampling shall be conducted in accordance with the requirements of Scope of Work, Section E, Soil Sampling for Lead Contamination, to ensure that the work did not result in additional soil contamination when compared to baseline samples collected prior to the start of work or that abatement work successfully lowered the lead contamination to more acceptable levels.
- D. Dust Testing for Lead Contamination. Lead abatement services providers shall comply with COMAR 26.16.05 – Procedures for Performing Lead Abatement Services. The test shall meet or exceed the recommended protocol of the HUD Guidelines for the Evaluation and Control of Lead-Based Paint in Housing (Appendix 13.1), and the requirements of 24 CFR 35.1315 - Collection and laboratory analysis of samples, and the work practice standards of 40 CFR 745.227.
1. Sampling shall consist of either single or composite samples based on the requirements of the specific protocol and any governing regulatory requirements.
 2. Sampling shall be from those areas that represent the greatest risk of exposure, consistent with sampling guidance contained in applicable Federal regulations and Code of Maryland Regulations (COMAR 26.16.02.04 (b)(3)). Sampling Points may include, but not be limited to floors, window wells, window sills and other horizontal surfaces as may be required.
 3. For composite samples, each sample shall consist of up to four subsamples.
 4. Samples shall be analyzed by an ELPAT accredited laboratory for lead content using Atomic Adsorption Spectrophotometry (AAS) or equivalent and meet or exceed the requirements of EPA.
 5. Results of the dust testing shall be incorporated into the appropriate report (i.e. risk assessment or clearance) as indicated in Scope of Services, Section F, Reports and Deliverables.
- E. Soil Sampling for Lead Contamination. Collection of samples to determine if it is lead contaminated shall be conducted as part of a risk assessment or clearance examination in accordance with COMAR 26.16.05 – Procedures for Performing Lead Abatement Services which meet or exceed the recommended protocol of the HUD Guidelines for the Evaluation and Control of Lead-Based Paint in Housing (Appendix 13.3), and the requirements of 24 CFR 35.1315 - Collection and laboratory analysis of samples, and the work practice standards of 40 CFR 745.227.
1. Soil testing shall consist of collection of two composite samples. One composite sample at the building foundation/drip line and one composite sample on the general grounds.
 2. Should the property contain items that would constitute a defined play area per the Federal guidelines, then a sample from this area shall be required.
 3. Each sample shall consist of eight subsamples.
 4. Samples shall be analyzed by an ELPAT accredited laboratory for lead content using Atomic Adsorption Spectrophotometry (AAS) or equivalent and meet or exceed the requirements of EPA.

5. Results of the soil testing shall be incorporated into the appropriate testing report as indicated in Scope of Services, Section F, Reports and Deliverables.

F. Reports and Deliverables.

1. Upon completion of the paint inspection and risk assessment, the selected consultant shall be required to compile the information and findings into a report to be submitted to DHCD, in duplicate. Each report shall include the following:
 - a. Summary of findings;
 - b. Description of the testing protocols;
 - c. Property information including a sketch of the property; and
 - d. Narrative and all applicable information pertaining to the risk assessment.
2. Information and findings of each clearance examination shall be compiled into a report which meets or exceeds the minimum requirements indicated in the federal regulations and guidelines.
3. Results of the paint inspection shall be classified as being positive, negative or inconclusive for lead when compared to the Maryland regulatory standard of greater than 0.7 mg of lead/cm² if testing is by XRF; or greater than or equal to 0.5 weight percent lead in the dry paint matrix if analysis is by laboratory. Results of other environmental samples, including dust and soil, will be evaluated and classified as meeting or exceeding the most stringent regulatory standard in effect at the time of the evaluation.

BID FORMAT

Required Bid Submissions. Submit two (2) copies of each, transmittal letter and completed bid form with original signatures ***in a sealed envelope*** to the Procurement Officer by the bid due date and time and to the address listed on the title page. Failure to include all required submissions may result in a bid being deemed non-responsive.

A. Transmittal Letter. A Transmittal Letter shall accompany the Bid and include the following:

1. Name and address of the Bidder;
2. Name, title, e-mail address, and telephone number of primary contact for the Bidder;
3. Solicitation Title and Solicitation Number that the Bid is in response to;
4. Signature, typed name, and title of an individual authorized to commit the Bidder to its Bid;
5. Federal Employer Identification Number (FEIN) of the Bidder, or if a single individual, that individual's Social Security Number (SSN);
6. Bidder's eMM number;
7. Bidder's MBE certification number (if applicable);
8. Acceptance of all State IFB and Contract terms and conditions; and

B. Completed Bid Form (**Attachment A**)

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IFB No. DHCD-17-01
PRICE BID FORM

| COLUMN I Service | COLUMN II PRICE per Service (All Counties Except Eastern Shore) | COLUMN III PRICE per Service (Eastern Shore Counties) |
|---|--|--|
| Paint Inspection | \$ _____ | \$ _____ |
| Risk Assessment 1. Screen Risk Assessment 2. Full Risk Assessment | \$ _____ \$ _____ | \$ _____ \$ _____ |
| Clearance Inspection 1. Cost for labor per each inspection 2. Lab cost for each sample analysis | \$ _____ \$ _____ | \$ _____ \$ _____ |
| Dust Testing for Lead Contamination 1. Cost for labor per each inspection 2. Lab cost for each sample analysis | \$ _____ \$ _____ | \$ _____ \$ _____ |
| Soil Sampling for Lead Contamination 1. Cost for labor per each inspection 2. Lab cost for each sample analysis | \$ _____ \$ _____ | \$ _____ \$ _____ |
| SUBTOTAL 1 - ALL Services Column II - All Counties Except Eastern Shore (Column II A + B + C + D + E) | \$ _____ | |
| SUBTOTAL 2 - ALL Services Column III- Eastern Shore Counties (Column III A + B + C + D + E) | | \$ _____ |
| GRAND TOTAL (Subtotal 1 + Subtotal 2) | | \$ _____ |

IFB No. DHCD-17-01
PRICE BID FORM (Continued)

Submitted By: _____

Bidder Name: _____

Bidder Address: _____

Bidder Telephone: (_____) _____ - _____

Bidder E-mail: _____

Bidder FEIN: _____ Bidder eMM #: _____

Bidder MDE Contractor Accreditation Number: _____

Bidder Small Business Certification Number, if applicable: _____

Authorized Signature: _____ Date: _____

Printed Name: _____

Title: _____